

17. SCHOOL BUS

BASIC REQUIREMENT

Grantees are prohibited from providing exclusive school bus service unless the service qualifies and is approved by the FTA Administrator under an allowable exemption. Federally funded equipment or facilities cannot be used to provide exclusive school bus service. School tripper service that operates and looks like all other regular service is allowed.

AREAS TO BE EXAMINED

1. *School Bus Service*
2. *Tripper Service*
3. *Oversight*

REFERENCES

1. [49 CFR Part 605](#), "School Bus Operations"

USEFUL WEBLINKS

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QUESTIONS FOR THE REVIEW

1. *Does the grantee or its subrecipients operate exclusive school bus service? If yes, does the service qualify for one of the statutory exemptions? Has the grantee received approval from the FTA Administrator? Does the service operate only with non-FTA funded equipment and facilities?*

EXPLANATION

There are three statutory exemptions under which an FTA grantee may operate exclusive school bus service:

- The grantee operates a school system in the area and operates a separate and exclusive school bus service for that school system
- Existing private school bus operators are unable to provide adequate, safe transportation
- The grantee, a public entity, has operated the service prior to August 12, 1973 or has received a grant for facilities before November 26, 1974

A grantee wishing to engage in school bus operations must provide an opportunity for public comment including:

- Providing written notice to all private school bus operators
- Publishing notice in the local newspaper

The FTA Administrator makes the determination whether to permit a grantee to operate exclusive school bus service under one of the statutory exemptions. Upon notice of approval by the Administrator, the grantee enters into an agreement with the Administrator.

Exclusive school bus service operated under an approved exemption must use locally owned vehicles that are not housed or maintained in an FTA funded facility. FTA funded equipment and facilities cannot be used for exclusive school bus service under any circumstances.

REFERENCE

[49 CFR Part 605](#)

SOURCES OF INFORMATION

If the grantee or a subrecipient operates exclusive school bus service, discuss with the reviewer the exemption under which the service is operated. The documentation of the public process and the Administrator's approval of the exclusive school bus service will be examined. The reviewer will identify the equipment and facilities used in the provision of

exclusive school bus service and determine whether Federal funds were used.

DETERMINATION

The grantee is deficient if it or a subrecipient operates exclusive school bus service that is not approved by the Administrator.

The grantee is deficient if it or a subrecipient uses FTA funded equipment or facilities in exclusive school bus service, whether or not the service qualifies for a statutory exemption.

SUGGESTED CORRECTIVE ACTION

The grantee will be directed to immediately cease providing exclusive school bus service that violates the statute, i.e., has not been approved by the Administrator or uses FTA funded equipment or facilities.

2. *Does the grantee or a subrecipient provide school "tripper service"? If yes, is the service open and promoted to the general public?*

EXPLANATION

Grantees are permitted to provide school tripper service to accommodate the needs of school students and personnel. The school bus regulation defines school tripper service as regularly scheduled mass transportation service that is open to the public and is designed or modified to accommodate the needs of school students and personnel. It may involve use of various fare collections or subsidy systems.

Buses used in tripper service must:

- be clearly marked as open to the public
- not carry designations such as "school bus" or "school special"
- stop only at regular bus stops

All routes traveled by tripper buses must be within the regular route service as indicated in the published route schedules. Schedules listing tripper routes should be on the grantee's regular published schedules or on separately published schedules that are available to the public with all other schedules, including on the website. School tripper service should operate and look like all other regular service.

REFERENCE

[49 CFR Part 605](#)

SOURCES OF INFORMATION

If the grantee operates school tripper service, the reviewer will examine route maps, brochures, timetables, and the website for inclusion of the service. The reviewer will discuss school tripper service with the grantee and verify that the service meets all of the required criteria for being open and promoted to the general public. The reviewer will examine the buses used for this service when inspecting maintenance facilities. If the grantee reports that it does not operate school tripper service, be prepared to discuss how students are transported to school. Does the school district provide bus service? If not, and students ride transit buses, the grantee may be providing tripper service, but may not be identifying it as such. In such cases, the reviewer will ensure that the school tripper requirements are met.

DETERMINATION

The grantee is deficient if it or a subrecipient operates school tripper service that does not meet the criteria for being open and promoted to the general public.

SUGGESTED CORRECTIVE ACTION

The grantee will be directed to discontinue directly operated school tripper service not meeting the requirements or modify the service to comply with FTA requirements. The grantee will be directed to submit documentation of compliance to the FTA regional office, including revised timetables, route maps, brochures, and website information.

3. *How does the grantee ensure that subrecipients comply with school bus regulations?*
4. *Do any contractors or lessees provide exclusive school bus service? If yes, how does the grantee ensure that it is provided only with non-FTA funded equipment and facilities?*

EXPLANATION

The grantee must ensure that exclusive school bus service operated by subrecipients is done under one of the statutory exemptions and does not involve FTA funded equipment or facilities. The grantee must ensure that school tripper service operated by subrecipients operates and looks like all other regular service. The grantee must also ensure that any contractor or lessee that provides exclusive school bus service does so with locally owned vehicles that are not housed or maintained in an FTA funded facility.

REFERENCE

[49 CFR Part 605](#)

SOURCES OF INFORMATION

The review will examine subrecipient agreements, contracts and lease agreements for the required school bus clause. Oversight materials, such as reports, questionnaires, and site visit checklists also will be examined. The reviewer will ask the grantee to identify any subrecipients, contractors, and lessees operating exclusive school bus service to identify subrecipients that operate school tripper service. During subrecipient, contractor, and lessee site visits, the reviewer will look for indications that exclusive school bus or tripper service is operated. The reviewer will ask the subrecipient, contractor, or lessee if it operates exclusive school bus service or tripper service. If exclusive school or tripper service is provided, the reviewer will ensure that it complies with the regulation.

DETERMINATION

The grantee is deficient if it does not ensure that subrecipients, contractors, or lessees comply with the regulations.

SUGGESTED CORRECTIVE ACTION

The grantee will be directed to submit to FTA regional office procedures for ensuring that subrecipients, contractors, and lessees comply with the school bus regulations.